

CLOSED,MDL-2002

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:12-cv-00088-GEKP**

KRAFT FOODS GLOBAL, INC. et al v. UNITED EGG
PRODUCERS, INC. et al
Assigned to: HONORABLE GENE E.K. PRATTER
Case in other court: N-ILL, 11-08808
Cause: 15:25 Clayton Act

Date Filed: 01/09/2012
Date Terminated: 08/16/2019
Jury Demand: None
Nature of Suit: 410 Other Statutes: Anti-
Trust
Jurisdiction: Federal Question

Plaintiff

KRAFT FOODS GLOBAL, INC.

represented by **AMY M. GALLEGOS**
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Plaintiff

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Plaintiff

GENERAL MILLS, INC.

represented by **AMY M. GALLEGOS**
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Plaintiff

NESTLE USA, INC.

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V.

Defendant

UNITED EGG PRODUCERS, INC.

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Defendant

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MARKETERS, INC.**

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Defendant

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Defendant

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TERMINATED: 06/30/2015

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TERMINATED: 06/30/2015

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Defendant

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Defendant

**MIDWEST POULTRY SERVICES,
L.P.**

TERMINATED: 03/11/2014

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TERMINATED: 03/11/2014

Defendant

**NATIONAL FOOD
CORPORATION**

TERMINATED: 02/21/2014

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ROBIN P. SUMNER
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TERMINATED: 02/21/2014

Defendant

NUCAL FOODS, INC.

TERMINATED: 03/06/2014

represented by **ROBIN P. SUMNER**
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TERMINATED: 03/06/2014

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Defendant

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Defendant

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Defendant

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Defendant

SPARBOE FARMS, INC.
TERMINATED: 06/18/2014

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Defendant

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Counter Claimant

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V.

Counter Defendant

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Counter Claimant

NUCAL FOODS, INC.

TERMINATED: 03/06/2014

represented by **ROBIN P. SUMNER**

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TERMINATED: 03/06/2014

WILLIAM M. GOODMAN

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Counter Defendant

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Counter Defendant

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Counter Defendant

NESTLE USA, INC.

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Counter Defendant

THE KELLOGG COMPANY

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Counter Claimant

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| Date Filed | # | Docket Text |
|------------|--------------------------|--|
| 01/09/2012 | <u>1</u> | Case transferred in from Northern District of Illinois; Case Number 11-8808. Original file certified copy of transfer order and docket sheet received., filed by NESTLE USA, INC., KRAFT FOODS GLOBAL, INC., THE KELLOGG COMPANY, GENERAL MILLS, INC. (Attachments: # <u>1</u> Designation Form) (jmv,) (Entered: 01/09/2012) |
| 01/11/2012 | <u>2</u> | NOTICE of Appearance by ROBIN P. SUMNER on behalf of UNITED EGG PRODUCERS, INC., UNITED STATES EGG MARKETERS, INC. with Certificate of Service(SUMNER, ROBIN) (Entered: 01/11/2012) |
| 01/11/2012 | <u>3</u> | NOTICE of Appearance by JAN P. LEVINE on behalf of UNITED EGG PRODUCERS, INC., UNITED STATES EGG MARKETERS, INC. with Certificate of Service(LEVINE, JAN) (Entered: 01/11/2012) |
| 02/10/2012 | <u>4</u> | |

| | | |
|------------|---------------------------|---|
| | | FIRST AMENDED COMPLAINT against CAL-MAINE FOODS, INC., DAYBREAK FOODS, INC., HILLANDALE FOODS INC., MIDWEST POULTRY SERVICES, L.P., NATIONAL FOOD CORPORATION, NUCAL FOODS, INC., OHIO FRESH EGGS, LLC, R.W. SAUDER, INC., ROSE ACRE FARMS, INC., SPARBOE FARMS, INC., UNITED EGG PRODUCERS, INC., UNITED STATES EGG MARKETERS, INC. filed by NESTLE USA, INC., KRAFT FOODS GLOBAL, INC., THE KELLOGG COMPANY, GENERAL MILLS, INC. Jury Demand, Certificate of Service. (tjd) (Entered: 02/10/2012) |
| 03/02/2012 | <u>5</u> | NOTICE by GENERAL MILLS, INC., KRAFT FOODS GLOBAL, INC., NESTLE USA, INC., THE KELLOGG COMPANY / <i>Direct Action Plaintiffs'</i> Notice Regarding Direct Purchaser Relationships (KINNEY, JOHN) (Entered: 03/02/2012) |
| 03/22/2012 | <u>6</u> | Stipulation Confirming the Identity of the Plaintiffs' by CAL-MAINE FOODS, INC., DAYBREAK FOODS, INC., HILLANDALE FOODS INC., MIDWEST POULTRY SERVICES, L.P., NATIONAL FOOD CORPORATION, NUCAL FOODS, INC., OHIO FRESH EGGS, LLC, R.W. SAUDER, INC., ROSE ACRE FARMS, INC., SPARBOE FARMS, INC., UNITED EGG PRODUCERS, INC., UNITED STATES EGG MARKETERS, INC.. (SUMNER, ROBIN) (Entered: 03/22/2012) |
| 04/26/2012 | <u>7</u> | NOTICE of Appearance by MARVIN L. GRAY on behalf of NATIONAL FOOD CORPORATION with Certificate of Service(GRAY, MARVIN) (Entered: 04/26/2012) |
| 04/26/2012 | <u>8</u> | ANSWER to <u>4</u> Amended Complaint, <i>With Affirmative Defenses</i> by NATIONAL FOOD CORPORATION.(GRAY, MARVIN) (Entered: 04/26/2012) |
| 04/26/2012 | <u>9</u> | ANSWER to <u>4</u> Amended Complaint, by R.W. SAUDER, INC..(LEVIN, CHRISTINE) (Entered: 04/26/2012) |
| 04/26/2012 | <u>10</u> | <i>AFFIRMATIVE DEFENSES AND ANSWER</i> to <u>4</u> Amended Complaint, by HILLANDALE FOODS INC..(SOUTHALL, SAMANTHA) (Entered: 04/26/2012) |
| 04/26/2012 | <u>11</u> | NOTICE of Appearance by RYAN M. HURLEY on behalf of MIDWEST POULTRY SERVICES, L.P. (HURLEY, RYAN) (Entered: 04/26/2012) |
| 04/26/2012 | <u>12</u> | ANSWER to <u>4</u> Amended Complaint, by MIDWEST POULTRY SERVICES, L.P..(HURLEY, RYAN) (Entered: 04/26/2012) |
| 04/26/2012 | <u>13</u> | ANSWER to <u>4</u> Amended Complaint, by ROSE ACRE FARMS, INC.. (MONICA, JOHN) (Entered: 04/26/2012) |
| 04/26/2012 | <u>14</u> | ANSWER to <u>4</u> Amended Complaint, by DAYBREAK FOODS, INC.. (ONDECK, CHRISTOPHER) (Entered: 04/26/2012) |
| 04/26/2012 | <u>15</u> | ANSWER to <u>4</u> Amended Complaint, by CAL-MAINE FOODS, INC.. (ROBISON, BRIAN) (Entered: 04/26/2012) |
| 04/26/2012 | <u>16</u> | |

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|------------|--------------------|--|
| | | ANSWER to 4 Amended Complaint, <i>With Affirmative Defenses and Proof of Service</i> by UNITED EGG PRODUCERS, INC..(LEVINE, JAN) (Entered: 04/26/2012) |
| 04/26/2012 | 17 | ANSWER to 4 Amended Complaint, <i>With Affirmative Defenses and Proof of Service</i> by UNITED STATES EGG MARKETERS, INC..(LEVINE, JAN) (Entered: 04/26/2012) |
| 04/26/2012 | 18 | <i>Defendant Nocal Foods, Inc.'s Answer to Kraft Foods Global, Inc., et al.'s First Amended Complaint</i> ANSWER to 4 Amended Complaint, by NUCAL FOODS, INC..(GOODMAN, WILLIAM) (Entered: 04/26/2012) |
| 04/27/2012 | 19 | ANSWER to 4 Amended Complaint, by MICHAEL FOODS, INC.. (ANDERSON, CARRIE) (Entered: 04/27/2012) |
| 04/30/2012 | 20 | ANSWER to 4 Amended Complaint, by OHIO FRESH EGGS, LLC. (CALLOW, JOSEPH) (Entered: 04/30/2012) |
| 10/18/2012 | 21 | NOTICE of Withdrawal of Appearance by KE ZHANG on behalf of GENERAL MILLS, INC., KRAFT FOODS GLOBAL, INC., NESTLE USA, INC., THE KELLOGG COMPANY. Certificate of Service.(tjd) (Entered: 10/18/2012) |
| 11/01/2012 | 22 | <i>Defendant Sparboe Farms Inc.'s</i> ANSWER to 4 Amended Complaint, by SPARBOE FARMS, INC. Affirmative Defenses, Jury Demand, Certificate of Service. (HUTCHINSON, TROY) Modified on 11/5/2012 (tjd). (Entered: 11/01/2012) |
| 02/22/2013 | 23 | MOTION for Leave to File <i>Second Amended Complaint (UNOPPOSED)</i> filed by GENERAL MILLS, INC., KRAFT FOODS GLOBAL, INC., NESTLE USA, INC., THE KELLOGG COMPANY.Exhibits, Certificate of Service, Proposed Order. (Attachments: # 1 Exhibit A: Redacted Version Second Amended Complaint, # 2 Exhibit B: Redline Redacted Version Second Amended Complaint, # 3 Text of Proposed Order)(KINNEY, JOHN) (Entered: 02/22/2013) |
| 03/01/2013 | 24 | ORDER THAT THE DIRECT ACTION PLAINTIFFS' UNOPPOSED MOTION 23 FOR LEAVE TO FILE AMENDED COMPLAINT IS GRANTED. SIGNED BY HONORABLE GENE E.K. PRATTER ON 3/1/2013;3/1/2013 ENTERED AND COPIES E-MAILED TO LIAISON COUNSEL. (SEE PAPER # 798 IN 08-MD-2002).(tjd) Modified on 3/1/2013 (tjd). (Entered: 03/01/2013) |
| 03/06/2013 | 25 | SECOND AMENDED COMPLAINT filed by NESTLE USA, INC., KRAFT FOODS GLOBAL, INC., THE KELLOGG COMPANY, and GENERAL MILLS, INC. Jury Demand, Certificate of Service.(tjd) (Entered: 03/07/2013) |
| 01/13/2014 | 26 | ORDER THAT MOTION FOR WITHDRAWAL OF APPEARANCE OF JOHN F. KINNEY AS AN ATTORNEY OF RECORD FOR PLAINTIFFS KRAFT FOODS GROUP, INC., THE KELLOGG COMPANY, GENERAL MILLS, INC., AND NESTLE USA, INC. IS GRANTED. SIGNED BY HONORABLE GENE E.K. PRATTER ON 1/10/2014;1/13/2014 ENTERED |

| | | |
|------------|--------------------|--|
| | | AND COPIES E-MAILED TO LIAISON COUNSEL. (SEE PAPER # 865 IN 08-MD-2002). (tjd) (Entered: 01/13/2014) |
| 01/31/2014 | 27 | ANSWER to 25 Amended Complaint by HILLANDALE FOODS INC.. (SOUTHALL, SAMANTHA) (Entered: 01/31/2014) |
| 01/31/2014 | 28 | ANSWER to 25 Amended Complaint <i>re Second Amended Complaint</i> by SPARBOE FARMS, INC..(HUTCHINSON, TROY) (Entered: 01/31/2014) |
| 01/31/2014 | 29 | ANSWER to 25 Amended Complaint / <i>Answer With Affirmative Defenses To Plaintiffs' Second Amended Complaint</i> by UNITED EGG PRODUCERS, INC.. (LEVINE, JAN) (Entered: 01/31/2014) |
| 01/31/2014 | 30 | ANSWER to 25 Amended Complaint / <i>Answer With Affirmative Defenses To Plaintiffs' Second Amended Complaint</i> by UNITED STATES EGG MARKETERS, INC..(LEVINE, JAN) (Entered: 01/31/2014) |
| 01/31/2014 | 31 | ANSWER to 25 Amended Complaint by R.W. SAUDER, INC..(LEVIN, CHRISTINE) (Entered: 01/31/2014) |
| 01/31/2014 | 32 | ANSWER to 25 Amended Complaint <i>and Affirmative Defenses</i> by OHIO FRESH EGGS, LLC.(CALLOW, JOSEPH) (Entered: 01/31/2014) |
| 01/31/2014 | 33 | ANSWER to 25 Amended Complaint by DAYBREAK FOODS, INC.. (ONDECK, CHRISTOPHER) (Entered: 01/31/2014) |
| 01/31/2014 | 34 | ANSWER to 25 Amended Complaint <i>and Defenses to Second Amended Complaint</i> by MICHAEL FOODS, INC..(ANDERSON, CARRIE) (Entered: 01/31/2014) |
| 01/31/2014 | 35 | ANSWER to 25 Amended Complaint , COUNTERCLAIM against KRAFT FOODS GLOBAL, INC. by CAL-MAINE FOODS, INC..(ROBISON, BRIAN) (Entered: 01/31/2014) |
| 01/31/2014 | 36 | ANSWER to 25 Amended Complaint , COUNTERCLAIM against All Plaintiffs by NUCAL FOODS, INC..(GOODMAN, WILLIAM) (Entered: 01/31/2014) |
| 01/31/2014 | 37 | ANSWER to 25 Amended Complaint <i>Answer with Affirmative Defenses to Second Amended Complaint</i> , COUNTERCLAIM against KRAFT FOODS GLOBAL, INC. by ROSE ACRE FARMS, INC..(MONICA, JOHN) (Entered: 01/31/2014) |
| 02/04/2014 | 38 | CAL-MAINE FOODS, INC. and ROSE ACRE FARMS, INC.'s Counterclaim Filed Under Seal Against Certain Direct Action Plaintiffs. (See Paper # 896 in 08-md-2002). (FILED UNDER SEAL). (tjd) (Entered: 02/05/2014) |
| 02/21/2014 | 39 | STIPULATION AND ORDER THAT PURSUANT TO F.R.C.P. 41 PLAINTIFFS' CLAIMS IN THE ABOVE CASES AGAINST NATIONAL FOOD CORP. ARE DISMISSED WITH PREJUDICE WITH EACH SIDE BEARING ITS OWN ATTORNEYS' FEES AND COSTS. SIGNED BY HONORABLE GENE E.K. PRATTER ON 2/20/2014; 2/21/2014 ENTERED AND COPIES E-MAILED TO LIAISON COUNSEL. (SEE PAPER # 901 IN 08-MD-2002). (tjd) (Entered: 02/21/2014) |
| 03/06/2014 | 40 | |

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| | | STIPULATION AND ORDER THAT PURSUANT TO F.R.C.P. 41 PLAINTIFFS CLAIMS AGAINST NUCAL FOODS, INC. IN 10-6705, 11-820, 10-6736, 10-6737, 11-510, 12-88 ARE DISMISSED WITH PREJUDICE WITH EACH SIDE BEARING ITS OWN ATTORNEYS' FEES AND COSTS. SIGNED BY HONORABLE GENE E.K. PRATTER ON 3/6/2014; 3/6/2014 ENTERED AND COPIES E-MAILED TO LIAISON COUNSEL. (SEE PAPER # 911 IN 08-MD-2002). (tjd) (Entered: 03/06/2014) |
| 03/11/2014 | 41 | STIPULATION AND ORDER THAT PLAINTIFFS CLAIMS AGAINST MIDWEST POULTRY SERVICES, L.P. IN 10-6705, 11-820, 10-6736, 10-6737, 11-510, AND 12-88 ARE DISMISSED WITH PREJUDICE WITH EACH SIDE BEARING ITS OWN ATTORNEYS' FEES AND COSTS, ETC. SIGNED BY HONORABLE GENE E.K. PRATTER ON 3/10/2014; 3/11/2014 ENTERED AND COPIES E-MAILED. (SEE PAPER # 913 IN 08-MD-2002). (tjd) (Entered: 03/11/2014) |
| 03/12/2014 | 42 | ORDER THAT ORAL ARGUMENT WILL BE HELD ON DIRECT ACTION PLAINTIFFS'/COUNTERCLAIM DEFENDANTS' MOTION TO STRIKE AS UNTIMELY THE COUNTERCLAIMS OF SPARBOE, CAL-MAINE, AND ROSE ACRE ON APRIL 3, 2014 IN COURTROOM 10B. SIGNED BY HONORABLE GENE E.K. PRATTER ON 3/12/2014; 3/12/2014 ENTERED AND COPIES E-MAILED. (SEE PAPER # 919 IN 08-MD-2002). (tjd) (Entered: 03/12/2014) |
| 03/19/2014 | 43 | CAL-MAINE FOODS, INC. and ROSE ACRE FARMS, INC.'s Counterclaim Against Certain Direct Action Plaintiffs. Redacted Copy, Jury Demand, Certificate of Service. (See Paper # 924 in 08-md-2002). (tjd) (Entered: 03/20/2014) |
| 04/21/2014 | 44 | ORDER THAT ORAL ARGUMENT WILL BE HELD ON DIRECT ACTION PLAINTIFFS'/COUNTERCLAIM DEFENDANTS' MOTION TO DISMISS COUNTERCLAIMS FILED BY CAL-MAINE AND ROSE ACRE ON MAY 12, 2014 AT 10:00 AM IN COURTROOM 10B. SIGNED BY HONORABLE GENE E.K. PRATTER ON 4/21/2014; 4/21/2014 ENTERED AND COPIES E-MAILED TO LIAISON COUNSEL. (SEE PAPER # 949 IN 08-MD-2002). (tjd) (Entered: 04/21/2014) |
| 05/01/2014 | 45 | NOTICE of Appearance by ADRIAN FONTECILLA on behalf of DAYBREAK FOODS, INC. with Certificate of Service(FONTECILLA, ADRIAN) (Entered: 05/01/2014) |
| 05/05/2014 | 46 | NOTICE of Appearance by SCOTT A. EGGERS on behalf of DAYBREAK FOODS, INC. with Certificate of Service(EGGERS, SCOTT) (Entered: 05/05/2014) |
| 05/05/2014 | 47 | ORDER THAT THE ORAL ARGUMENT SCHEDULED TO BE HELD AT 10:00 A.M. ON 5/12/2014 IN COURTROOM 10B, UNITED STATES COURTHOUSE, 601 MARKET STREET, PHILADELPHIA, PA 19106 (SEE 4/21/2014 ORDER, DOC. NO. 949), IS RESCHEDULED TO BEGIN AT 1:45 P.M. ON THE SAME DAY AND IN THE SAME LOCATION. SIGNED BY HONORABLE GENE E.K. PRATTER ON 5/5/2014. 5/5/2014 ENTERED |

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| | | AND COPIES E-MAILED TO LIAISON COUNSEL. (SEE PAPER # 955 IN 08-MD-2002) (ems) (Entered: 05/05/2014) |
| 05/28/2014 | 48 | KRAFT'S Supplemental Memorandum Filed Under Seal in Support of Motion to Dismiss Counterclaim. (See Paper # 970 in 08-md-2002). (FILED UNDER SEAL). (tjd) (Entered: 05/28/2014) |
| 06/18/2014 | 49 | STIPULATION AND ORDER THAT THE CLAIMS IN THE ABOVE-CAPTIONED CASES OF PLAINTIFFS THE KROGER CO., SAFEWAY INC., WALGREEN CO., HY-VEE, INC., ALBERTSONS LLC, THE GREAT ATLANTIC & PACIFIC TEA COMPANY, INC., H.E. BUTT GROCERY COMPANY AND CONOPCO, INC., GIANT EAGLE, INC., SUPERVALU INC., PUBLIX SUPER MARKETS, INC., WINN-DIXIE STORES, INC., ROUNDY'S SUPERMARKETS, INC., H.J. HEINZ COMPANY, L.P., C&S WHOLESALE GROCERS, INC., KRAFT FOODS GLOBAL, INC., GENERAL MILLS, INC., NESTLE USA, INC., AND THE KELLOGG COMPANY AGAINST DEFENDANT SPARBOE FARMS, INC. ARE DISMISSED WITH PREJUDICE, WITH EACH SIDE BEARING ITS OWN ATTORNEYS' FEES AND COSTS. SIGNED BY HONORABLE GENE E.K. PRATTER ON 6/18/2014; (Attachments: # 1 Stipulation) 6/18/2014 ENTERED AND COPIES E-MAILED TO LIAISON COUNSEL. (SEE PAPER # 995 IN 08-MD-2002).(tjd) (Entered: 06/18/2014) |
| 06/30/2014 | 50 | STIPULATION AND ORDER THAT THE CLAIMS IN THE ABOVE-CAPTIONED CASES OF PLAINTIFFS THE KROGER CO., SAFEWAY INC., WALGREEN CO., HY-VEE, INC., ALBERTSONS LLC, THE GREAT ATLANTIC & PACIFIC TEA COMPANY, INC., H.E. BUTT GROCERY COMPANY AND CONOPCO, INC., GIANT EAGLE, INC., SUPERVALU INC., PUBLIX SUPER MARKETS, INC., WINN-DIXIE STORES, INC., ROUNDY'S SUPERMARKETS, INC., H.J. HEINZ COMPANY, L.P., C&S WHOLESALE GROCERS, INC., KRAFT FOODS GLOBAL, INC., GENERAL MILLS, INC., NESTLE USA, INC., AND THE KELLOGG COMPANY AGAINST DEFENDANTS HILLANDALE FARMS OF PA., INC., HILLANDALE-GETTYSBURG, L.P., HILLANDALE FARMS EAST, INC., AND HILLANDALE FARMS, INC., ARE DISMISSED WITH PREJUDICE, WITH EACH SIDE BEARING ITS OWN ATTORNEYS' FEES AND COSTS. SIGNED BY HONORABLE GENE E.K. PRATTER ON 6/30/2014. (Attachments: # 1 Stipulation) 7/1/2014 ENTERED AND COPIES E-MAILED TO LIAISON COUNSEL. (SEE PAPER # 1004 IN 08-MD-2002) (ems) (Entered: 07/01/2014) |
| 01/23/2015 | 51 | MOTION for Order <i>Excluding them from the Cal-Maine/Direct Purchaser Plaintiff Settlement or Alternatively Enlarging their Time to Opt Out</i> filed by GENERAL MILLS, INC., KRAFT FOODS GLOBAL, INC., NESTLE USA, INC., THE KELLOGG COMPANY.Memorandum, Declaration, Certificate of Service. (Attachments: # 1 Memorandum, # 2 Declaration, # 3 Exhibit 1, # 4 Exhibit 2, # 5 Exhibit 3, # 6 Text of Proposed Order, # 7 Certificate of Service) (CAMPBELL, RICHARD) (Entered: 01/23/2015) |
| 02/03/2015 | 52 | ORDER THAT THE DEADLINE FOR DEFENDANTS CAL-MAIN FOODS, INC. TO FILE ITS RESPONSE TO THE KRAFT DAPS' MOTION FOR AN |

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| | | ORDER EXCLUDING THEM FROM THE CAL-MAINE/DPP SETTLEMENT IS EXTENDED TO FEBRUARY 13, 2015. SIGNED BY HONORABLE GENE E.K. PRATTER ON 2/3/2015. 2/4/2015 ENTERED AND COPIES E-MAILED TO LIAISON COUNSEL. (SEE PAPER NO. 1131 IN 08-MD-2002).(ahf) (Entered: 02/04/2015) |
| 02/19/2015 | 53 | Memorandum Addressing the Need for an Evidentiary Hearing re 51 MOTION for Order <i>Excluding them from the Cal-Maine/Direct Purchaser Plaintiff Settlement or Alternatively Enlarging their Time to Opt Out</i> filed by GENERAL MILLS, INC., KRAFT FOODS GLOBAL, INC., NESTLE USA, INC., THE KELLOGG COMPANY. Certificate of Service.(CAMPBELL, RICHARD) Modified on 2/20/2015 (ahf,). (Entered: 02/19/2015) |
| 02/25/2015 | 54 | REPLY to Response to Motion re 51 MOTION for Order <i>Excluding them from the Cal-Maine/Direct Purchaser Plaintiff Settlement or Alternatively Enlarging their Time to Opt Out</i> filed by GENERAL MILLS, INC., KRAFT FOODS GLOBAL, INC., NESTLE USA, INC., THE KELLOGG COMPANY. (Attachments: # 1 Declaration, # 2 Certificate of Service)(CAMPBELL, RICHARD) (Entered: 02/25/2015) |
| 04/30/2015 | 55 | ORDER THAT THE COURT INTENDS TO TREAT THE DECLARATION OF RICHARD P. CAMPBELL (DOC. NO. 1123-2 IN 08-MD-2002) AS LEGAL ARGUMENT RATHER THAN EVIDENCE; ETC.. IF THE PARTIES REQUEST THE OPPORTUNITY TO PRESENT EVIDENCE, THEN AN EVIDENTIARY HEARING ON THE KRAFT DAPS' MOTION FOR AN ORDER EXCLUDING THEM FROM THE CAL-MAINE/DIRECT PURCHASER PLAINTIFF SETTLEMENT OR ALTERNATIVELY ENLARGING THEIR TIME TO OPT OUT (DOC. NO. 1123 IN 08-MD-2002) WILL BE HELD ON 5/21/2015 AT 10:00 A.M. IN COURTROOM 10B OF THE UNITED STATES COURTHOUSE, 601 MARKET STREET, PHILADELPHIA, PA 19106. THE COURT WILL PERMIT CAL-MAINE FOODS, INC. TO PERFORM LIMITED DISCOVERY IN PREPARATION FOR THE EVIDENTIARY HEARING; ETC.. THE DISCOVERY DESCRIBED IN THIS PARAGRAPH SHALL PROCEED PROMPTLY AND CONTINUE IN SUCH MANNER AS WILL ASSURE THAT ALL REQUESTS FOR, AND RESPONSES TO, DISCOVERY WILL BE SERVED, NOTICED, AND COMPLETED BY 5/15/2015. IF THE PARTIES DO NOT REQUEST THE OPPORTUNITY TO PRESENT EVIDENCE, THEN ORAL ARGUMENT ON THE KRAFT DAPS' MOTION FOR AN ORDER EXCLUDING THEM FROM THE CAL-MAINE/DIRECT PURCHASER PLAINTIFF SETTLEMENT OR ALTERNATIVELY ENLARGING THEIR TIME TO OPT OUT (DOC. NO. 1123 IN 08-MD-2002) WILL BE HELD ON 5/21/2015 AT 10:00 A.M. IN COURTROOM 10B OF THE UNITED STATES COURTHOUSE, 601 MARKET STREET, PHILADELPHIA, PA 19106. SIGNED BY HONORABLE GENE E.K. PRATTER ON 4/30/2015. 4/30/2015 ENTERED AND COPIES E-MAILED TO LIAISON COUNSEL. (SEE PAPER # 1174 IN 08-MD-2002) (ems) (Entered: 04/30/2015) |
| 05/04/2015 | 56 | NOTICE of Appearance by CAROLYN P. SHORT on behalf of GENERAL MILLS, INC., KRAFT FOODS GLOBAL, INC., NESTLE USA, INC., THE |

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| | | KELLOGG COMPANY with Certificate of Service(SHORT, CAROLYN) (Entered: 05/04/2015) |
| 05/04/2015 | 57 | NOTICE of Appearance by ANNE ROLLINS on behalf of GENERAL MILLS, INC., KRAFT FOODS GLOBAL, INC., NESTLE USA, INC., THE KELLOGG COMPANY with Certificate of Service(ROLLINS, ANNE) (Entered: 05/04/2015) |
| 05/19/2015 | 58 | ORDER THAT THE EVIDENTIARY HEARING ON THE KRAFT DAPS' MOTION FOR AN ORDER EXCLUDING THEM FROM THE CAL-MAINE/DIRECT PURCHASER PLAINTIFF SETTLEMENT OR ALTERNATIVELY ENLARGING THEIR TIME TO OPT OUT (DOC. NO. 1123), ORIGINALLY SCHEDULED FOR 5/21/2015 AT 10:00 A.M., IS RESCHEDULED FOR 7/1/2015 AT 2:00 P.M. WITH THE HONORABLE GENE E.K. PRATTER IN COURTROOM 10B OF THE UNITED STATES COURTHOUSE, 601 MARKET STREET, PHILADELPHIA, PA 19106. SIGNED BY HONORABLE GENE E.K. PRATTER ON 5/18/2015. 5/19/2015 ENTERED AND COPIES E-MAILED TO LIAISON COUNSEL. (SEE PAPER # 1188 IN 08-MD-2002) (ems) (Entered: 05/19/2015) |
| 06/09/2015 | 59 | ORDER THAT THE STIPULATION AND PROPOSED ORDER PURSUANT TO FEDERAL RULE OF EVIDENCE 502(d) ARE APPROVED. SIGNED BY HONORABLE GENE E.K. PRATTER ON 6/9/2015. 6/9/2015 ENTERED AND COPIES E-MAILED TO LIAISON COUNSEL. (SEE PAPER # 1205 IN 08-MD-2002) (ems) (Entered: 06/09/2015) |
| 06/18/2015 | 60 | ORDER THAT THE REDACTIONS IN EXHIBIT B, CONSISTING OF A REDACTED VERSION OF EXHIBIT A, CONSISTING OF A FOUR-PAGE EMAIL CHAIN PROVIDED FOR IN CAMERA INSPECTION, ARE APPROVED. SIGNED BY HONORABLE GENE E.K. PRATTER ON 6/18/2015. 6/18/2015 ENTERED AND COPIES E-MAILED TO LIAISON COUNSEL. (SEE PAPER # 1211 IN 08-MD-2002) (ems) (Entered: 06/18/2015) |
| 06/30/2015 | 61 | STIPULATION AND ORDER FOR DISMISSAL, WITH PREJUDICE, OF PLAINTIFFS' CLAIMS AGAINST DAYBREAK FOODS, INC. ADDITIONAL INFORMATION CONTAINED HEREIN. (SEE PAPER NO. 1224 IN 08-MD-2002) SIGNED BY HONORABLE GENE E.K. PRATTER ON 6/30/2015. 6/30/2015 ENTERED AND COPIES E-MAILED. (aeg,) (Entered: 06/30/2015) |
| 07/24/2015 | 62 | CAL-MAINE FOODS, INC.'S POST-HEARING BRIEF IN OPPOSITION TO THE KRAFT DIRECT ACTION PLAINTIFFS' MOTION FOR AN ORDER EXCLUDING THEM FROM THE CAL-MAINE/DIRECT PURCHASER PLAINTIFF CLASS OR ALTERNATIVELY ENLARGING THEIR TIME TO OPT OUT AND ACCOMPANYING EXHIBITS by CAL-MAINE FOODS, INC.. (SEE PAPER # 1255 IN 08-MD-2002) (FILED UNDER SEAL) (ems) (Entered: 07/24/2015) |
| 07/24/2015 | 63 | Memorandum in Support re 51 MOTION for Order <i>Excluding them from the Cal-Maine/Direct Purchaser Plaintiff Settlement or Alternatively Enlarging their Time to Opt Out</i> filed by GENERAL MILLS, INC., KRAFT FOODS |

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| | | GLOBAL, INC., NESTLE USA, INC., THE KELLOGG COMPANY. (SHORT, CAROLYN) (Entered: 07/24/2015) |
| 07/24/2015 | 64 | KRAFT DIRECT ACTION PLAINTIFFS' POST-HEARING MEMORANDUM SUPPORTING THEIR MOTION FOR AN ORDER EXCLUDING THEM FROM THE DPP/CAL-MAINE SETTLEMENT OR ENLARGING THEIR TIME TO OPT OUT by KRAFT FOODS GLOBAL, INC.. (SEE PAPER # 1256 IN 08-MD-2002) (FILED UNDER SEAL) (ems) (Entered: 07/27/2015) |
| 09/14/2015 | 65 | MEMORANDUM AND/OR OPINION. SIGNED BY HONORABLE GENE E.K. PRATTER ON 9/14/2015. 9/15/2015 ENTERED AND COPIES E-MAILED TO LIAISON COUNSEL. (SEE PAPER # 1315 IN 08-MD-2002) (ems) (Entered: 09/15/2015) |
| 09/14/2015 | 66 | MEMORANDUM AND/OR OPINION ORDER THAT THE KRAFT DIRECT ACTION PLAINTIFFS' MOTION FOR AN ORDER EXCLUDING THEM FROM THE CAL-MAINE/DIRECT PURCHASER PLAINTIFF SETTLEMENT, OR ALTERNATIVELY ENLARGING THEIR TIME TO OPT OUT (DOC. NO. 1123) IS GRANTED AND THE COURT WILL ENLARGE THE TIME FOR THE KRAFT DIRECT ACTION PLAINTIFFS TO OPT OUT. THE KRAFT DIRECT ACTION PLAINTIFFS SHALL CONFIRM ON THE RECORD AND DOCKET THEIR OPT-OUT STATUS WITHIN ONE WEEK FROM THE DATE OF THIS ORDER. SIGNED BY HONORABLE GENE E.K. PRATTER ON 9/14/2015. 9/15/2015 ENTERED AND COPIES E-MAILED TO LIAISON COUNSEL. (SEE PAPER # 1316 IN 08-MD-2002) (ems) (Entered: 09/15/2015) |
| 09/15/2015 | 67 | NOTICE by GENERAL MILLS, INC., KRAFT FOODS GLOBAL, INC., NESTLE USA, INC., THE KELLOGG COMPANY re 66 Order (Memorandum and/or Opinion),, / <i>Notice of Confirmation that the Kraft Direct Action Plaintiffs Have Opted Out of the Direct Purchaser Plaintiff Class/Cal-Maine Settlement</i> (Attachments: # 1 Certificate of Service)(CAMPBELL, RICHARD) (Entered: 09/15/2015) |
| 11/17/2015 | 68 | Disclosure Statement Form pursuant to FRCP 7.1 including The Kraft Heinz Company with Certificate of Service by KRAFT FOODS GLOBAL, INC.. (CAMPBELL, RICHARD) (Entered: 11/17/2015) |
| 07/02/2019 | 69 | MOTION to Remand Pursuant to 28 USC §1407(a) and Case Management Order 20 filed by GENERAL MILLS, INC., KRAFT FOODS GLOBAL, INC., NESTLE USA, INC., THE KELLOGG COMPANY.Memorandum. (Attachments: # 1 Memorandum, # 2 Text of Proposed Order)(GALLEGOS, AMY) (Entered: 07/02/2019) |
| 08/07/2019 | 70 | ORDER THAT THE UNDERSIGNED TRANSFEREE JUDGE SUGGESTS THAT THE MATTER OF CIVIL ACTION NO. 12-088 BE REMANDED TO THE NORTHERN DISTRICT OF ILLINOIS. THE CLERK OF COURT IS DIRECTED TO FORWARD A CERTIFIED COPY OF THIS SUGGESTION OF REMAND TO THE UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION. SIGNED BY HONORABLE GENE E.K. PRATTER ON 08/7/2019. 08/7/2019 ENTERED AND COPIES E-MAILED |

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| | | TO LIAISON COUNSEL. (SEE DOCKET NO. 1917 IN 08-MD-2002)(kp,) (Entered: 08/07/2019) |
| 08/16/2019 | 71 | CONDITIONAL REMAND ORDER THAT THE ACTION(S) ON THIS CONDITIONAL REMAND ORDER BE REMANDED TO ITS/THEIR RESPECTIVE TRANSFEROR COURT(S). PURSUANT TO RULE 10.2 OF THE RULES OF PROCEDURE OF THE UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION, THE TRANSMITTAL OF THIS ORDER TO THE TRANSFEREE CLERK FOR FILING SHALL BE STAYED 7 DAYS FROM THE DATE OF THIS ORDER, ETC. (amas) (Entered: 08/19/2019) |

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